



Department of Justice

FOR IMMEDIATE RELEASE
MONDAY, OCTOBER 6, 2008
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JUSTICE DEPARTMENT REQUIRES A DIVESTITURE IN MANITOWOC'S ACQUISITION OF ENODIS

Divestiture of Ice Machine Business Will Preserve Competition

WASHINGTON — The Department of Justice announced today that it has reached a settlement that will require The Manitowoc Company Inc. and Enodis plc to divest Enodis's entire U.S. ice machine business in order to proceed with Manitowoc's proposed \$2.7 billion acquisition of Enodis. The Department said that the transaction, as originally proposed, would substantially lessen competition in the development, production, distribution and sale of commercial cube ice machines in the United States, resulting in increased prices and reduced quality and innovation.

The Department's Antitrust Division filed a civil antitrust lawsuit today in U.S. District Court in Washington, D.C., to block the proposed transaction. At the same time, the Department filed a proposed settlement that, if approved by the court, would resolve the lawsuit and the Department's competitive concerns.

"The original proposed transaction threatened to deprive consumers of the benefits of competition," said Thomas O. Barnett, Assistant Attorney General in charge of the Department's Antitrust Division. "Without the divestiture required by the Department, purchasers of commercial cube ice machines in the United States likely would have faced higher prices and reduced quality and innovation."

Manitowoc and Enodis are two of only three significant manufacturers of commercial cube ice machines in the United States. Manitowoc machines are sold under the Manitowoc brand; Enodis machines are sold under the Scotsman and Ice-O-Matic brands. Commercial cube ice machines are needed by restaurants, convenience stores, hotels and other businesses that require significant volumes of cube ice.

Under the terms of the proposed settlement, Manitowoc and Enodis must divest Enodis's entire business engaged in the development, production, distribution and sale of ice machines, ice machine parts and related equipment in the United States, including the Scotsman and Ice-O-Matic brands.

The remedy contained in the proposed settlement is consistent with the remedy obtained as a result of an antitrust investigation by the European Commission that was announced on Sept. 19, 2008. The Department's Antitrust Division and the European Commission cooperated

throughout the course of their investigations and will continue to do so to ensure the expeditious divestiture of Enodis's U.S. ice machine business.

"These coordinated enforcement actions by the Antitrust Division and the European Commission are an example of effective cooperation in global competition enforcement," said Barnett.

Manitowoc is a Wisconsin corporation with its principal place of business in Manitowoc, Wis. It is a global industrial equipment company that manufactures commercial ice machines and related equipment, refrigeration equipment, cranes, ships and other water vessels. In 2007, Manitowoc reported total sales of approximately \$4 billion. Its sales of commercial ice machines and related equipment in the United States accounted for approximately \$152 million of that total.

Enodis is a corporation registered in the United Kingdom and Wales with its principal place of business in London. Through its global food service equipment group, Enodis designs, manufactures and sells cooking, food storage and preparation equipment, and ice machines and related equipment. For its 2007 fiscal year, Enodis reported revenues of about \$1.6 billion, and its sales of commercial ice machines and related equipment in the United States accounted for approximately \$153 million of that total.

As required by the Tunney Act, the proposed settlement, along with a competitive impact statement, will be published in the Federal Register. Any person may submit written comments concerning the proposed settlement during a 60-day comment period to Maribeth Petrizzi, 1401 H Street N.W., Suite 3000, Washington, D.C. 20530. At the conclusion of the 60-day comment period, the court may enter the final judgment upon a finding that it serves the public interest.

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